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EXAMINER	
LEWIS, ALICIA M	

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2164	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/766,319	MADAN ET AL.	
	Examiner	Art Unit	
	Alicia M. Lewis	2164	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *15 July 2009*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *10,11,15,17,18,20-22,24-28,30 and 31* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *10,11,15,17,18,20-22,24-28,30 and 31* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

This office action is responsive to the Request for Continued Examination (RCE) filed July 15, 2009. Claims 10, 20, 27 and 28 are currently amended, and claims 30-31 have been added. Therefore claims 10, 11, 15, 17, 18, 20-22, 24-28, 30 and 31 remain pending in this application.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 10, 20-22 and 30 are rejected under 35 U.S.C. 103(a) (*current application filing date 1/26/2004*) as being unpatentable over Denoue et al. (US 2004/0119762 A1, *filing date 12/24/2002*) ('Denoue') in view of Dawe et al. (US 7,042,594 B1, *filing date 3/7/2000*) ('Dawe'), and further in view of Beauchamp et al. (US 2008/0046837 A1, *filing date 3/17/2003*) ('Beauchamp').

With respect to claim 10, Denoue teaches:

setting a mode of operation to a content capture mode for interpreting stylus input for the purpose of selecting an on-screen region of a display (paragraphs 56, 75-78 and 86), and receiving a path drawn by a user via the stylus as input (paragraphs 54 and 86), the path defining boundaries of the selected region of a display (paragraph 59),

wherein pixels comprising one or more graphical elements being displayed in the selected on-screen region (Figure 6, paragraph 67);

capturing the pixels displayed within the selected on-screen region (paragraphs 67 and 86-87), and storing the captured pixels such that the stored data is representative of only those pixels of the display within the selected on screen region (paragraph 89); and

obtaining context information for the one or more graphical elements by automatically applying text recognition (paragraph 79) to an annotation drawn by the user on the display via the stylus (*i.e. freeform inks 532, 534, 536 and freeform notes*) (paragraphs 57 and 75) (*OCR may be applied to captured content and captured content may include freeform inks, as seen in figs. 2-5*),

wherein context information is stored in association with the captured data (paragraphs 75-76).

Denoue does not explicitly teach storing captured data in an image file; storing the results of text recognition as context information; or automatically storing context information in association with the image file.

Dawe teaches a system and method for saving handwriting as an annotation in a scanned document (see abstract), in which he teaches:

capturing image pixels and storing captured image pixels in an image file (col. 3 lines 60-63, col. 7 line 61- col. 8 line 4);

applying text recognition to annotations and storing the results of text recognition as context information (col. 5 lines 52-60, col. 7 lines 6-20 and 61-65); and

automatically storing context information in association with the image file (col. 7 lines 57-65).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Denoue by the teaching of Dawe because storing captured data in an image file; storing the results of text recognition as context information; or automatically storing context information in association with the image file would enable handwriting to be saved as an annotation, and thus reduce clutter in a document presented to a user, while maintaining the information conveyed by the handwriting for presentation to the user if desired (Dawe, abstract).

Further regarding claim 10, Denoue in view of Dawe does not teach receiving a user command to set the mode of operation to an annotation mode for interpreting stylus input for the purpose of annotating the one or more graphical elements and, in response to the user command, switching the mode of operation to the annotation mode and receiving an annotation drawn by the user on the display via the stylus.

Beauchamp teaches a transparent windows method and apparatus (see abstract), in which he teaches receiving a user command to set the mode of operation to an annotation mode for interpreting stylus input for the purpose of annotating the one or more graphical elements (step 150 in Fig. 1B, paragraph 34), and in response to the user command, switching the mode of operation to the annotation mode and

receiving an annotation drawn by the user on the display via the stylus (step 156 in Fig. 1B, paragraphs 6 and 34). Beauchamp further teaches applying text recognition to the annotation drawn by the user (paragraphs 6 and 28).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have further modified Denoue by the teaching of Beauchamp because receiving a user command to set the mode of operation to an annotation mode for interpreting stylus input for the purpose of annotating the one or more graphical elements and, in response to the user command, switching the mode of operation to the annotation mode and receiving an annotation drawn by the user on the display via the stylus would enable annotation directly on the screen display, much like the annotation of a physical sheet of paper with a marker, and would further provide the ability to convert a user's handwritten notes into computer recognized text and commands (Beauchamp, paragraph 6).

With respect to claim 20, Denoue as modified teaches wherein the context information is stored in such a manner as to be accessible to a user for performing at least one of the following:

searching for said context information;

displaying the context information simultaneously with the captured image pixels (Denoue, paragraphs 75-76; Dawe, col.8 lines 1-16), and

navigating a network to a source of the captured image pixels.

With respect to claim 21, Denoue as modified teaches wherein the one or more graphical elements comprises a first set of one or more textual characters, the method further comprising: obtaining additional context information by extracting the first set of one or more textual characters, extracting a second set of textual characters displayed in proximity with the first set, and storing the first and second sets of textual characters as the additional context information (Dawe, col. 7 lines 6-20 and lines 61-65; Denoue, paragraph 72), the additional context information being automatically stored in association with the image file (Dawe, col. 7 lines 57-65).

With respect to claim 22, Denoue as modified teaches wherein the selected on-screen region is part of displayed textual region, and the graphical elements comprise a first set of one or more textual characters displayed in the textual region, the method further comprising: obtaining additional context information based on a second set of one or more textual characters displayed in the textual region (Dawe, Fig. 4, col. 7 lines 6-20 and lines 61-65; Denoue, paragraph 72), the additional context information being automatically stored in association with the image file (Dawe, col. 7 lines 57-65) (*The words "job" or "awareness" may be considered the second set of textual characters*).

With respect to claim 30, Denoue as modified teaches wherein the annotation is stored as originally drawn as additional context information in association with the image file (Dawe, col. 7 lines 9-11, 18-20 and 57-65).

3. Claim 11, 25 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Denoue et al. (US 2004/0119762 A1, *filing date 12/24/2002*) ('Denoue') in view of Dawe et al. (US 7,042,594 B1, *filing date 3/7/2000*) ('Dawe') and Beauchamp et al. (US 2008/0046837 A1, *filing date 3/17/2003*) ('Beauchamp'), as applied to claims 10, 20-22 and 30 above, and further in view of Oppermann et al. (US 6,334,157 B1, *filing date 3/11/1997*) ('Oppermann').

With respect to claim 11, Denoue as modified teaches claim 10, including a selected on-screen region and automatically storing context information in association with the image file (Dawe, col. 7 lines 57-65).

Denoue as modified does not teach determining a window associated with the selected on-screen region; retrieving an application interface having a uniform resource identifier (URI) property from the determined window or parent window of the determined window; or obtaining the URI property as additional context information.

Oppermann teaches programmatically providing direct access to user interface elements of an application program (see abstract), in which he teaches:

selecting user interface elements, such as text (col. 8 lines 43 and 49-51) and determining a window associated with the selected elements (col. 26 lines 37-40);

retrieving an application interface having a uniform resource identifier (URI) property from the determined window or parent window of the determined window (col. 25 lines 59-62, col. 28 lines 33-39); and

obtaining the URI property as additional context information (col. 11 lines 1-9, 55-60, col. 12 lines 55-60, col. 13 lines 51-60).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have further modified Denoue by the teaching of Oppermann because determining a window, retrieving an application interface having a uniform resource identifier (URI) property from the determined window or parent window of the determined window would enable accessibility aids the ability to access and manipulate user interface elements of any application program without having prior knowledge of the application program or its interface (Oppermann, column 4 lines 27-30).

With respect to claim 25, Denoue as modified teaches wherein the selected on-screen region includes at least a portion of a displayed web page or document (Dawe, Figure 4, col. 4 lines 38-42), and the method further comprises: using an application programming interface (API) to query an application for additional context information (Oppermann, column 7 lines 36-38), the additional context information being automatically stored in association with the image file (Dawe, col. 7 lines 57-65), the queried application causing the one or more graphical elements to be displayed (Oppermann, column 7 lines 36-45; Denoue, paragraphs 86-87).

With respect to claim 26, Denoue as modified teaches further comprising obtaining a uniform resource identifier (URI) of the web page or document as the context information (Oppermann, col. 11 lines 1-9, 55-60, col. 12 lines 55-60, col. 13

lines 51-60), the URI being obtained as a result of the query using the API (Oppermann, column 7 lines 36-38).

4. Claims 15 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Denoue et al. (US 2004/0119762 A1, *filing date 12/24/2002*) ('Denoue') in view of Dawe et al. (US 7,042,594 B1, *filing date 3/7/2000*) ('Dawe') and Beauchamp et al. (US 2008/0046837 A1, *filing date 3/17/2003*) ('Beauchamp'), as applied to claims 10, 20-22 and 30 above, and further in view of Browne et al. (US 2004/0135815 A1, *filing date 12/15/2003*) ('Browne').

With respect to claim 15, Denoue as modified teaches claim 10.

Denoue as modified does not teach creating and storing a linking structure as the association between the image file and the context information.

Browne teaches a method and apparatus for image metadata entry (see abstract), in which he teaches creating and storing a linking structure as the association between the image file and the context information (Figure 12, paragraph 136).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have further modified Denoue by the teaching of Browne because teach creating and storing a linking structure as the association between the image file and the context information would enable an easy and efficient method of classifying and storing digital images (Browne, paragraph 14).

With respect to claim 18, Denoue as modified teaches wherein the linking structure includes at least one pointer pointing to the stored image file or the stored content information (Browne, paragraph 136).

5. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Denoue et al. (US 2004/0119762 A1, *filing date 12/24/2002*) ('Denoue') in view of Dawe et al (US 7,042,594 B1, *filing date 3/7/2000*) ('Dawe'), Beauchamp et al. (US 2008/0046837 A1, *filing date 3/17/2003*) ('Beauchamp'), and Browne et al. (US 2004/0135815 A1, *filing date 12/15/2003*) ('Browne'), as applied to claims 15 and 18 above, and further in view of Newman (US 2003/0101156 A1, *filing date 11/26/2001*).

With respect to claim 17, Denoue as modified teaches claim 15.

Denoue as modified does not teach wherein the linking structure is incorporated in a file separate from the stored image file and the stored content information.

Newman teaches database systems and methods (see abstract), in which he teaches wherein the linking structure is incorporated in a file separate from the stored image file and the stored content information (paragraph 16).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have further modified Denoue by the teaching of Newman because wherein the linking structure is incorporated in a file separate from the stored image file and the stored content information would enable additional information about image files, such as the origination device, person who created the file, and data/time

the file was created, to be transmitted and stored along with the image files (Newman, paragraph 16).

6. Claims 24 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Denoue et al. (US 2004/0119762 A1, *filing date 12/24/2002*) ('Denoue') in view of Dawe et al (US 7,042,594 B1, *filing date 3/7/2000*) ('Dawe'), and further in view of Hertzfeld et al. (US 2002/0076109 A1, *filing date 1/25/1999*) ('Hertzfeld') and Oppermann et al. (US 6,334,157 B1, *filing date 3/11/1997*) ('Oppermann').

With respect to claim 27, Denoue teaches:

receiving a path drawn on the display by a user via a stylus (paragraphs 54 and 86), the drawn path defining the boundaries of a selected on-screen region of the display, the selected on-screen region comprising a plurality of pixels (Figure 6, paragraphs 59 and 67);

capturing the plurality of pixels of the on-screen region (paragraphs 67 and 86-87); and

storing the captured image pixels such that the stored data is representative of only those pixels of the display within the selected on screen region (paragraph 89), wherein the content displayed within the on-screen region includes textual data or underlying data comprising at least one of an executable object, a file, and a link to remote content (paragraphs 39 and 55-57); and

extracting a character or word from textual data as context information (paragraph 79); and

storing the extracted context information in association with the captured data (paragraphs 75-76).

Denoue does not teach: storing captured data in an image file; automatically determining that the content displayed within the on-screen region includes the textual data; in response to determining that the displayed content of the on-screen region includes the textual data, automatically extracting a character or word from the textual data as context information; or storing the extracted context information and additional context information in association with the image file, such that the context information is accessible when viewing the image file.

Dawe teaches a system and method for saving handwriting as an annotation in a scanned document (see abstract), in which he teaches:

capturing image pixels and storing captured image pixels in an image file (col. 3 lines 60-63, col. 7 line 61- col. 8 line 4);

automatically determining that the content displayed within the on-screen region includes the textual data (col. 6 lines 52-53, col. 7 lines 11-14);

in response to determining that the displayed content of the on-screen region includes the textual data, automatically extracting a character or word from the textual data as context information (col. 7 lines 6-8 and 15-20); and

storing the extracted context information and additional context information in association with the image file, such that the context information is accessible when viewing the image file (col. 7 lines 57-60, col. 8 lines 1-16).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Denoue by the teaching of Dawe to enable handwriting to be saved as an annotation, and thus reduce clutter in a document presented to a user, while maintaining the information conveyed by the handwriting for presentation to the user if desired (Dawe, abstract).

Further regarding claim 27, Denoue in view of Dawe does not teach the content of the selected on-screen region includes both textual data and underlying data comprising at least one of: an executable object, a file, and a link to remote content; automatically determining that the displayed content of the on-screen region includes the underlying data; or in response to determining that the displayed content of the on-screen region includes underlying data, automatically extracting a property of the underlying data as additional context information, the property comprising at least one of: a file name, a file identifier, a uniform resource locator (URL), a uniform resource identifier (URI), a folder name, and meta-data.

Hertzfeld teaches a method and apparatus for context sensitive text recognition (see abstract), in which he teaches:

the content of the selected on-screen region includes both textual data and underlying data comprising at least one of: an executable object, a file, and a link to remote content (Hertzfeld, steps 602 and 608 in Figure 6, paragraph 38);

automatically determining that the displayed content of the on-screen region includes the underlying data (step 608 in Figure 6, paragraph 38); and

in response to determining that the displayed content of the on-screen region includes underlying data, automatically extracting a property of the underlying data as additional context information, the property comprising at least one of: a file name, a file identifier, a uniform resource locator (URL), a uniform resource identifier (URI), a folder name, and meta-data (step 616 in Figure 6, paragraph 38).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have further modified Denoue by the teaching of Hertzfeld because the content of the selected on-screen region includes both textual data and underlying data comprising at least one of: an executable object, a file, and a link to remote content; automatically determining that the displayed content of the on-screen region includes the underlying data; and in response to determining that the displayed content of the on-screen region includes underlying data, automatically extracting a property of the underlying data as additional context information, the property comprising at least one of: a file name, a file identifier, a uniform resource locator (URL), a uniform resource identifier (URI), a folder name, and meta-data would enable recognition of predefined types of text and predefined actions to be performed based on the types of text (Hertzfeld, abstract).

Further regarding claim 27, Denoue in view of Dawe and Hertzfeld fails to teach determining underlying data by using an application programming interface (API) to query an application window associated with the content of the selected on-screen region.

Oppermann teaches programmatically providing direct access to user interface elements of an application program (see abstract), in which he teaches determining underlying data by using an application programming interface (API) to query an application window associated with the content of the selected on-screen region (col. 7 lines 36-38).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have further modified Denoue by the teaching of Oppermann because determining underlying data by using an application programming interface (API) to query an application window associated with the content of the selected on-screen region would enable accessibility aids the ability to access and manipulate user interface elements of any application program without having prior knowledge of the application program or its interface (Oppermann, column 4 lines 27-30).

With respect to claim 24, Denoue as modified teaches:

digitizing movements of a stylus across the display in order to receive the annotation (Denoue, paragraphs 55, 57 and 75); and

obtaining additional context information based on the received annotation (Denoue, paragraph 79), the additional context information being automatically stored in association with the image file (Dawe, col. 7 lines 57-65).

7. Claims 28 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dawe et al (US 7,042,594 B1, *filing date 3/7/2000*) ('Dawe') in view of Beauchamp et al. (US 2008/0046837 A1, *filing date 3/17/2003*) ('Beauchamp'), and further in view of Denoue et al. (US 2004/0119762 A1, *filing date 12/24/2002*) ('Denoue').

With respect to claim 28, Dawe teaches:

receiving a path drawn on the display by a user via a stylus (col. 5 lines 28-30; col. 6 lines 48-50), the drawn path defining the boundaries of a selected on-screen region of the display, the selected on-screen region comprising a plurality of pixels (col. 6 lines 42-51);

capturing the plurality of pixels of the on-screen region (col. 3 lines 60-63, col. 7 lines 40-42 and lines 61-65, col. 8 lines 1-3);

storing the captured pixels as an image file (col. 3 lines 60-63, col. 7 lines 40-42 and lines 61-65, col. 8 lines 1-3), wherein the content displayed within the on-screen region includes textual data, an executable object, a file, and a link to remote content (col. 4 lines 46-59, col. 7 lines 38-40);

performing text recognition on an annotation to produce recognized text of the annotation as context information (col. 5 lines 36-43, col. 7 lines 6-20, col. 8 lines 19-29);

automatically determining that the content displayed within the on-screen region includes at least one of textual data and other underlying data comprising at least one of an executable object, a file, and a link to remote content (col. 6 lines 52-53, col. 7 lines 11-20);

automatically extracting as additional context information at least one of:

a character or word from the textual data as context information (col. 7 lines 6-20 and 57-65, col. 8 lines 19-26); and

a property of underlying data determined to be included in the on-screen region, the property comprising at least one of: a file name, a file identifier, a uniform resource locator (URL), a uniform resource identifier (URI), a folder name, and meta-data; and

storing the context information and the additional context information in association with the image file, such that the context information is accessible when viewing the image file (col. 7 lines 57-60, col. 8 lines 1-16).

Dawe does not teach receiving a user command to set the mode of operation to an annotation mode for interpreting stylus input for the purposes of annotating the content displayed within the on-screen region; in response to the user command, switching the mode of operation to the annotation mode and receiving an annotation drawn on the display by the user via the stylus; or performing text recognition of the

annotation (drawn on the display) to produce recognized text of the annotation as context information.

Beauchamp teaches a transparent windows method and apparatus (see abstract), in which he teaches:

receiving a user command to set the mode of operation to an annotation mode for interpreting stylus input for the purposes of annotating the content displayed within the on-screen region (step 150 in Fig. 1B, paragraph 34);

in response to the user command, switching the mode of operation to the annotation mode and receiving an annotation drawn on the display by the user via the stylus (step 156 in Fig. 1B, paragraphs 6 and 34); and

performing text recognition of the annotation (drawn on the display) to produce recognized text of the annotation as context information (paragraph 6).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Dawe by the teaching of Beauchamp because receiving an annotation drawn on the display by the user via the stylus; or performing text recognition of the annotation (drawn on the display) to produce recognized text of the annotation as context information would enable optimization of pen-based annotations on a window of a software application (Beauchamp, paragraph 8).

Further regarding claim 28, Dawe in view of Beauchamp does not teach setting a mode of operation to a content capture mode for interpreting stylus input for the

purpose of selecting an on-screen region of a display; or storing captured pixels such that the image file is representative of only those pixels of the display within the on-screen region.

Denoue teaches systems and methods for freeform pasting (see abstract), in which he teaches setting a mode of operation to a content capture mode for interpreting stylus input for the purpose of selecting an on-screen region of a display (paragraphs 56, 75-78 and 86); and

capturing content, and storing captured content (pixels) such that the image file is representative of only those pixels of the display within the on-screen region (paragraph 89).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have further modified Dawe by the teaching of Denoue because setting a mode of operation to a content capture mode for interpreting stylus input for the purpose of selecting an on-screen region of a display; and storing captured content would enable the user or other users to ability to reselect content in a simplified manner (Denoue, abstract, paragraph 89).

With respect to claim 30, Dawe as modified teaches wherein the annotation is stored as originally drawn as additional context information in association with the image file (Dawe, col. 7 lines 9-11, 18-20 and 57-65).

Response to Arguments

8. Applicant's arguments with respect to claims 24 and 27 have been considered but are moot in view of the new ground(s) of rejection.

9. Applicant's arguments filed July 15, 2009 have been fully considered but they are not persuasive.

10. Regarding claims 10 and 28, Applicant argues that the cited references fail to teach setting a mode of operation to a content capture mode and setting a mode of operation to an annotation mode. Examiner disagrees. Denoue teaches that his selection technique uses a freeform user input to identify the displayed text or that is to be selected (paragraphs 56 and 76). He further teaches that content capture may be accomplished in one or more modes, such as copy mode, sequencing mode and segmentation mode (paragraphs 76-78). Furthermore, Denoue teaches that upon receiving the freeform stroke or gesture, the system selects the identified content (paragraphs 75 and 86). Therefore, the initial input of a freeform stroke of gesture represents setting the mode of operation to a content capture mode because responsive to this freeform stroke or gesture, the identified content is captured. Thus, Denoue teaches setting a mode of operation to a content capture mode.

11. Beauchamp teaches that at step 150 in Figure 1B, a user selects to enter pen annotations or non-pen annotations, and in response to the user selecting to enter pen-annotations, a transparent pen-enabled window is then instantiated and positioned over the non-pen-enabled window in the display area (step 152) to enable pen-based user input (step 156). Thus, the user selecting to enter pen annotations (i.e. a “yes” to step

150) represents setting the mode of operation to an annotation mode because responsive to the user selecting yes, the pen-enable window is instantiated so that the annotations may be received. Therefore, Beauchamp teaches receiving a user command to set the mode of operation to an annotation mode (i.e. a "yes" to decision step 150) and switching the mode to the annotation mode and receiving an annotation drawn by a stylus (user input in step 156).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alicia M. Lewis whose telephone number is 571-272-5599. The examiner can normally be reached on Monday - Friday, 9 - 6:30, alternate Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on 571-272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/A. M. L./
Examiner, Art Unit 2164
September 30, 2009

/Charles Rones/
Supervisory Patent Examiner, Art Unit 2164